

### **REMARKS**

Claims 1 to 6, 8 to 24, and 26 to 30 are now pending in the application. Claims 7 and 25 stand cancelled, and Claims 28 to 30 stand withdrawn. Claims 1 to 6, 8 to 24, 26 and 27 are currently amended. Support for the amendments is found in the specification as originally filed, for example at paragraphs [0002] (wiring, cable and/or tubing covers) and [0017] (fusing the ends of the warps) and Figures 1 and 2 (filaments set in a non-spiral configuration). The Examiner is respectfully requested to reconsider the claims and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 103 OVER FORD ET AL IN VIEW OF SCHNEGG AND WOODALL, JR.**

Claims 1 to 2, 4, 5, 8, and 10 to 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ford et al (U.S. Pat. No. 5,556,495) in view of Schnegg (U.S. Pat. No. 5,191,777) and Woodall, Jr. (U.S. Pat. No. 3,882,857). These rejections are respectfully traversed.

Applicant respectfully submits that the combined references of Ford, Schnegg and Woodall Jr. do not describe all the elements of the presently amended claims. In particular, the prior art references do not describe a wiring, cable and/or tubing cover wherein the ends of the knitted warps are fused. Fusing of the ends of the knitted warps may be performed by a thermal cutting process, and prevent further fraying of the fabric cloth. Specification at paragraph [0017]. Accordingly, the present claims are not anticipated by the cited references.

In addition, the present claims recite a heat-set fabric cloth having filaments in a non-spiral configuration. In contrast, the Ford reference describes shaped fabric products that include a wall portion comprising a filament resiliently set in a spiral configuration with respect to the longitudinal axis of the shaped product. Ford at col. 2, lines 37 to 58. The Ford reference prefers woven fabrics having such spirally set filaments because of the excellent flexibility and kink-resistance associated with the configuration. Id. Substituting the fabric of Schnegg for the fabric of Ford would necessitate having the filaments of the Schnegg fabric set in a spiral configuration, in order to maintain the characteristics of the Ford fabric. For at least this further reason, the combined Ford and Schnegg references fail to recite all the limitations of the amended claims.

Moreover, Applicant submits that there is no suggestion or motivation to combine the Woodall Jr. reference with either the Ford reference or the Schnegg reference. In the Advisory Action, the Examiner states that one of ordinary skill would look to any tubular fabric sleeve for protection of elongated bodies, especially since the previously presented claims were directed to a generic "tubular sleeve." Advisory Action at page 5. Applicant has now amended the claims to recite "wiring, cable and/or tubing covers" instead of "tubular sleeves."

The wiring, cable and/or tubing covers of the present claims exhibit various characteristics that are not characteristics provided by orthopedic casts, e.g., abrasion resistance, flame-retardant capability, high temperature capability, and/or EMI/RFI shielding. See specification at paragraph [0023]. An orthopedic cast provides softness of hand, air permeability, antibacterial properties, rigidity, and immobilization. See

Woodall Jr. at col. 3, lines 37-63; and col. 4, lines 1-37. One of ordinary skill in the art would not look to orthopedic cast teachings to modify resilient wiring, cable and/or tubing covers. Therefore, there is no suggestion or motivation to modify the Ford, Schnegg, and Woodall Jr. references.

In light of above arguments, Applicant respectfully asks the Examiner to reconsider the rejection made in the Final Office Action. Applicant respectfully submits that the claims are patentable over the combined references of Ford, Schnegg, and Woodall Jr., and respectfully requests that the rejection be withdrawn.

#### **FURTHER REJECTIONS UNDER 35 U.S.C. § 103**

Claims 3, 6, 9, 13 to 24, 26 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ford, Schnegg and Woodall Jr. in view of various additional references, or combinations of references, including Boyd et al. (U.S. Pub. No. 2005/0017402), Keogh et al. (U.S. Pub. No. 2002/0098357), Stanhope et al. (U.S. Pat. No. 5,556,495), Bettcher et al. (U.S. Pat. No. 5,070,540). These rejections are respectfully traversed.

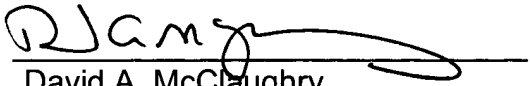
Applicant believes that a *prima face* case for obviousness fails in light of the above arguments. Also, the additional references do not provide the elements absent from the combined Ford, Schnegg, and Woodall Jr. references. Accordingly, Applicant respectfully requests that all the rejections based on these references be withdrawn.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable reconsideration of the claims is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: May 30, 2006

By:   
David A. McClaughry  
Reg. No. 37,885  
Jake M. Ward  
Reg. No. 56,754

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600  
DAM/JMW